

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA,	)	CR. No. 04-010304-RCL
	)	
Plaintiff	)	
	)	
v.	)	
	)	
JARED CROWLEY	)	
	)	
Defendants.	)	
	)	

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MOTION TO SUPPRESS EVIDENCE OBTAINED FROM WARRANTLESS SEARCH

Now comes the Defendant in the above-entitled matter and hereby respectfully moves this Honorable Court, **to suppress the defendant's stop, arrest and search of his person as well as all items seized from his person**, including but not limited to, handgun and ammunition, as a result of the warrantless arrest of the Defendant, and the warrantless search and seizure of items which took place on or about May 27, 2004, Lowell, Massachusetts. The Defendant further moves to suppress any "fruits" of the search, including but not limited to, any statements allegedly made by him.

As grounds therefor, it is stated that the items were seized in the absence of a search warrant and in violation of the Defendant's rights under the Fourth and Fourteenth Amendments to the U.S. Constitution.

1. There were no specific and articulable facts to justify the detention of the defendant.
2. There was no probable cause for the search of the Defendant's person.
3. There was no probable cause for the arrest of the defendant.
4. There was no consent to search the defendant's person.

The Defendant further refers to his affidavit in support of his motion to suppress.

The Defendant requests an evidentiary hearing on this Motion.

JARED CROWLEY

By his attorney,

/s/ **Victoria M. Bonilla**

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Date: 12/14/04

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AFFIDAVIT IN SUPPORT OF MOTION TO SUPPRESS EVIDENCE  
OBTAINED FROM WARRANTLESS SEARCH

I, JARED CROWLEY, state the following is true to the best of my knowledge, information and belief:

1. I am the defendant named in this action.
2. On May 27, 2004 I was walking in the city of Lowell.
3. People who I later learned were police officers stopped me.
4. I did not consent to the search of my person nor the backpack.
5. I was not shown a search warrant.
6. The police claim to have removed a handgun and ammunition from the backpack.
7. I did not make any voluntary statements.

Signed under the pains and penalties of perjury this 14<sup>th</sup> day of December, 2004.

Jared Crowley

/s/ **Jared Crowley**

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